

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

THOMAS GYNAN,

Defendant.

) Criminal No. 25cr10049
)

) Violations:
)

) Counts One and Three: Distribution of and
) Possession with Intent to Distribute 50 Grams or
) More of Methamphetamine
) (21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii))
)

) Count Two: Distribution of and Possession with
) Intent to Distribute 5 Grams or More of
) Methamphetamine
) (21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(viii))
)

) Count Four: Unlawful Transfer and Possession
) of a Machine Gun
) (18 U.S.C. § 922(o))
)

) Count Five: Possession with Intent to Distribute
) 500 grams or More of Cocaine
) (21 U.S.C. §§ 841(a)(1)) and (b)(1)(B)(ii))
)

) Count Six: Possession of a Firearm in
) Furtherance of a Drug Trafficking Crime
) (18 U.S.C. § 924(c)(1)(A)(i))
)

) Drug Forfeiture Allegation:
) (21 U.S.C. § 853)
)

) Firearm Forfeiture Allegation:
) (18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))
)

INDICTMENT

COUNT ONE

Distribution of and Possession with Intent to Distribute 50 Grams or More of Methamphetamine
(21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii))

The Grand Jury charges:

On or about December 9, 2024, in Amesbury, in the District of Massachusetts, the
defendant,

THOMAS GYNAN,

did knowingly and intentionally distribute and possess with intent to distribute 50 grams or more
of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(viii).

COUNT TWO

Distribution of and Possession with Intent to Distribute 5 Grams or More of Methamphetamine
(21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(viii))

The Grand Jury further charges:

On or about December 17, 2024, in Amesbury, in the District of Massachusetts, the
defendant,

THOMAS GYNAN,

did knowingly and intentionally distribute and possess with intent to distribute 5 grams or more of
methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(viii).

COUNT THREE

Distribution of and Possession with Intent to Distribute 50 Grams or More of Methamphetamine
(21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii))

The Grand Jury further charges:

On or about January 3, 2025, in Amesbury, in the District of Massachusetts, the defendant,

THOMAS GYNAN,

did knowingly and intentionally distribute and possess with intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(viii).

COUNT FOUR

Unlawful Transfer and Possession of a Machine Gun
(18 U.S.C. § 922(o))

The Grand Jury further charges:

On or about January 8, 2025, in Amesbury, in the District of Massachusetts, the defendant,

THOMAS GYNAN,

knowingly possessed and transferred a machinegun, as defined by Title 26, United States Code, Section 5845(b), that is: a Polish Military, model PPS-43, 7.62 x 25 millimeter machinegun, bearing serial number KM-02882.

All in violation of Title 18, United States Code, Section 922(o).

COUNT FIVE

Possession with Intent to Distribute 500 Grams or More of Cocaine
(21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(ii))

The Grand Jury further charges:

On or about January 14, 2025, in Amesbury, in the District of Massachusetts, the defendant,

THOMAS GYNAN,

did knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(ii).

COUNT SIX

Possession of a Firearm in Furtherance of a Drug Trafficking Crime
(18 U.S.C. § 924(c)(1)(A)(i))

The Grand Jury further charges:

On or about January 14, 2025, in Amesbury, in the District of Massachusetts, the defendant,

THOMAS GYNAN,

did knowingly possess one or more firearms, to wit: a Marlin model 55, 12-gauge shotgun, bearing serial number 71328350; a Sig Sauer model Sp2022, 9 millimeter pistol, bearing serial number 24B203779; a Smith & Wesson model M&P Bodyguard 380, .380 caliber pistol, bearing serial number KEV3986; and a Canik55, model T120, 9 millimeter pistol, bearing serial number 15G00141, in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, to wit: Possession with Intent to Distribute 500 Grams or More of Cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(ii), as charged in Count Five of the Indictment.

All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

DRUG FORFEITURE ALLEGATION
(21 U.S.C. § 853)

1. Upon conviction of one or more of the offenses in violation of Title 21, United States Code, Section 841, set forth in Counts One through Three and Five, the defendant,

THOMAS GYNAN,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offenses; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendant

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- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in Paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

FIREARM FORFEITURE ALLEGATION
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

1. Upon conviction of the offense in violation of Title 18, United States Code, Section 924(c)(1)(A)(i), set forth in Count Six, the defendant,

THOMAS GYNAN,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in any knowing commission of the offense. The property to be forfeited includes, but is not limited to, the following:

- a. a Marlin model 55, 12-gauge shotgun, bearing serial number 71328350;
- b. a Sig Sauer model Sp2022, 9 millimeter pistol, bearing serial number 24B203779;
- c. a Smith & Wesson model M&P Bodyguard 380, .380 caliber pistol, bearing serial number KEV3986;
- d. a Canik55, model T120, 9 millimeter pistol, bearing serial number 15G00141;
- e. 36 rounds of 9mm ammunition;
- f. 11 rounds of .380 caliber ammunition; and
- g. One 9mm magazine.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendant --

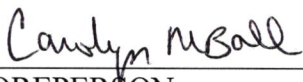
- a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461.

A TRUE BILL


FOREPERSON


JOHN O. WRAY
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF MASSACHUSETTS

District of Massachusetts: February 11, 2025
Returned into the District Court by the Grand Jurors and filed.


02/11/2025
DEPUTY CLERK